

STATEMENT OF BASIS

as required by LAC 33:IX.3109, for draft Louisiana Pollutant Discharge Elimination System Permit No. **LA0076236; AI 19090; PER20050001** to discharge to waters of the State of Louisiana as per LAC 33:IX.2311.

The permitting authority for the Louisiana Pollutant Discharge Elimination System (LPDES) is:

Louisiana Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

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|------|--------------------------|--|
| I. | THE APPLICANT IS: | Village of Clarence
Clarence Sewage Treatment Plant
P.O. Box 309
Clarence, LA 71414 |
| II. | PREPARED BY: | Angela Marse |
| | DATE PREPARED: | February 13, 2006 |
| III. | PERMIT ACTION: | LPDES <i>permit</i> <u>LA0076236</u> , AI <u>19090</u> ; <u>PER20050001</u> |
| | | LPDES application received: June 15, 2005 |
| | | LPDES permit issued: June 1, 2000 |
| | | LPDES permit expired: May 31, 2005 |

IV. FACILITY INFORMATION:

- A. The application is for the discharge of treated sanitary wastewater from a publicly owned treatment works serving the Village of Clarence.
- B. The permit application does not indicate the receipt of industrial wastewater.
- C. The facility is located off US Hwy. 71, 1/2 mile from the intersection with US Hwy. 84 in Clarence, Natchitoches Parish.
- D. The treatment facility consists of a three cell oxidation pond. Disinfection is by chlorination.
- E. Outfall 001

Discharge Location:	Latitude	31° 48' 51" North
	Longitude	93° 03' 14" West

Description: treated sanitary wastewater

Design Capacity: 0.066 MGD

Type of Flow Measurement which the facility is currently using:

V-Notch Weir

V. RECEIVING WATERS:

The discharge is into the Red River in segment 100101 of the Red River Basin. This segment is listed on the 303(d) list of impaired waterbodies.

The designated uses and degree of support for Segment 100101 of the Red River Basin are as indicated in the table below^{1/}:

Overall Degree of Support for Segment	Degree of Support of Each Use						
	Primary Contact Recreation	Secondary Contact Recreation	Propagation of Fish & Wildlife	Outstanding Natural Resource Water	Drinking Water Supply	Shell fish Propagation	Agriculture
Not Supported	Full	Full	Not Supported	N/A	Not Supported	N/A	Full

^{1/}The designated uses and degree of support for Segment 100101 of the Red River Basin are as indicated in LAC 33:IX.1123.C.3, Table (3) and the 2004 Water Quality Management Plan, Water Quality Inventory Integrated Report, Appendix A, respectively.

Section 303 (d) of the Clean Water Act as amended by the Water Quality Act of 1987, and EPA's regulations at 40 CFR 130 require that each state identify those waters within its boundaries not meeting water quality standards. Segment 100101, Red River-Arkansas State Line to Alexandria (Hwy. 165), of the Red River Basin is on the 2004 303(d) List of Impaired Waterbodies. The suspected causes of impairment are sulfates and color.

Suspected causes for impairment which were not delisted and are not directly attributed to similar point sources have been eliminated in the formulation of effluent limitations and other requirement of this permit. This is the case with both sulfates and color. Sources for sulfates and color are upstream or outside of the State's jurisdiction. However, both causes are listed as a CALM Category 5 meaning a TMDL will be required to address the impairments. TMDLs for the Red River Basin are scheduled for completion by 2008. A reopener clause will be established in the permit to allow for any requirements or more stringent effluent limitations imposed by a TMDL. For the time being, permit effluent limits are the same as the previous permit.

VI. ENDANGERED SPECIES:

The receiving waterbody, Subsegment 100101 of the Red River Basin, is not listed in the Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated October 21, 2005 from Watson (FWS) to Gautreaux (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species of the critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

VII. HISTORIC SITES:

The discharge is from an existing facility location, which does not include an expansion beyond the existing perimeter. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

VIII. PUBLIC NOTICE:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit modification and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation
Office of Environmental Services Public Notice Mailing List

For additional information, contact:

Mrs. Angela Marse
Permits Division
Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

IX. PROPOSED PERMIT LIMITS:

Final Effluent Limits:

OUTFALL 001

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg. (lbs./day)	Monthly Avg.	Weekly Avg.	Basis
BOD ₅	N/A*	30 mg/l	45 mg/l	SSELP – Sewer treatment plants discharging into the Atchafalaya, Red, or Mississippi River are assigned secondary treatment limits. Flows and dispersion in these River systems are not significantly impacted by a secondary discharge.
TSS	N/A*	90 mg/l	135 mg/l	SSELP – Sewer treatment plants discharging into the Atchafalaya, Red, or Mississippi River are assigned secondary treatment limits. Flows and dispersion in these River systems are not significantly impacted by a secondary discharge.

*Concentration limits are used in accordance with LAC 33:IX.2709.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement. LAC 33:IX.709.B references LAC 33:IX.711 which express BOD₅ and TSS in terms of concentration.

Other Effluent Limitations:

1) Fecal Coliform

The discharge from this facility is into a water body which has a designated use of Primary Contact Recreation. According to LAC 33:IX.1113.C.5.b.i, the fecal coliform standards for this water body are 200/100 ml and 400/100 ml. Therefore, the limits of 200/100 ml (Monthly Average) and 400/100 ml (Weekly Average) are proposed as Fecal Coliform limits in the permit. These limits are being proposed through Best Professional Judgment in order to ensure that the water body standards are not exceeded, and due to the fact that existing facilities have demonstrated an ability to comply with these limitations using present available technology.

2) pH

According to LAC 33:IX.3705.A.1., POTW's must treat to at least secondary levels. Therefore, in accordance with LAC 33:IX.5905.C., the pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time.

3) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

X.

PREVIOUS PERMITS:

LPDES Permit No. LA0076236: Issued: June 1, 2000
Expired: May 31, 2005

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Daily Avg.</u>	<u>Daily Max.</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	Report	Report	1/week	Measure
BOD ₅	30 mg/l	45 mg/l	1/month	Grab
TSS	90 mg/l	135 mg/l	1/month	Grab
Fecal Coliform Colonies	200	400	1/month	Grab

The permit contains pretreatment language.

The permit contains pollution prevention language.

XI.

ENFORCEMENT AND SURVEILLANCE ACTIONS:

A) Inspections

A review of the files indicates the following most recent inspection was performed for this facility:

Date - September, 2004
Inspector - LDEQ

Findings and/or Violations -

1. The inspection was in response to the release of 40 gallons of untreated sewage from lift station No. 3.
2. This was one of many incidents reported at the facility from July, 2003 to September, 2005.

B) Compliance and/or Administrative Orders

A review of the files indicates the following most recent enforcement actions administered against this facility:

LDEQ Issuance:

Docket # - WE-CN-03-0842

Date Issued - March 8, 2004

Findings of Fact:

The following findings were the result of inspections conducted in September, 2001 and May, 2003:

1. Respondent was not operating the sewer plant properly. Trees and shrubs were growing around the oxidation pond and chlorinator. Solids were observed in the chlorine contact chamber. There was no certified operator on site. Nutria habitat was present on the embankments of the oxidation pond.
2. Evidence of overflows was seen in a nearby pasture. The facility was not sampling as required by their permit either time. The operator did not know location of outfall 001. Outfall 001 could not be accessed if road was flooded..
3. Respondent failed to submit DMRs.

Order:

1. Respondent was ordered to submit a plan for immediate compliance.
2. Respondent was ordered to submit properly completed DMRs and explain any violations.
3. Respondent was ordered to submit all records of flow.
4. Respondent was ordered to submit a detailed report of the circumstances surrounding violations.
5. Respondent was made aware of the right to request a hearing.
6. Respondent was made aware that potential civil penalties may be assessed.

C) DMR Review

A review of the discharge monitoring reports for the period beginning January, 2003 through April, 2005 has revealed the following violations:

<u>Effluent Characteristic</u>	<u>Number of Violations</u>
Fecal Coliform	4
pH	2

During this period, 9 months of DMRs were not on file (so not reviewed) and 12 others were reported as no discharge.

XII. ADDITIONAL INFORMATION:

Please be aware that the Department will be conducting a TMDL in the Red River Basin scheduled for completion in 2008. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions as a result of the TMDL. Therefore, prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

At present, the **Monitoring Requirements, Sample Types, and Frequency of Sampling** as shown in the permit are standard for facilities of flows between 0.02 and 0.1 MGD.

<u>Effluent Characteristics</u>	<u>Monitoring Requirements</u>	
	<u>Measurement</u>	<u>Sample</u>
	<u>Frequency</u>	<u>Type</u>
Flow	Continuous	Recorder
BOD ₅	1/month	Grab
Total Suspended Solids	1/month	Grab
Fecal Coliform Bacteria	1/month	Grab
pH	1/month	Grab

Pretreatment Requirements

Based upon consultation with LDEQ pretreatment personnel, standard pretreatment language is included in the proposed permit. This is consistent with the previous permit.

XIII. TENTATIVE DETERMINATION:

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in this Statement of Basis.

XIV. REFERENCES:

Louisiana Water Quality Management Plan / Continuing Planning Process. Vol. 8, "Wasteload Allocations / Total Maximum Daily Loads and Effluent Limitations Policy." Louisiana Department of Environmental Quality, 2005.

Louisiana Water Quality Management Plan / Continuing Planning Process. Vol. 5, "Water Quality Inventory Section 305(b) Report." Louisiana Department of Environmental Quality, 1998.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 11 - "Louisiana Surface Water Quality Standards," Louisiana Department of Environmental Quality, 2004.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Subpart 2 - "The LPDES Program," Louisiana Department of Environmental Quality, 2004.

Low-Flow Characteristics of Louisiana Streams, Water Resources Technical Report No. 22, United States Department of the Interior, Geological Survey, 1980.

Index to Surface Water Data in Louisiana, Water Resources Basic Records Report No. 17, United States Department of the Interior, Geological Survey, 1989.

LPDES Permit Application to Discharge Wastewater, Village of Clarence, Clarence Sewage Treatment Plant, June 15, 2005.